

Volume 15

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Richard Seeborg, Judge

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	NO. 3:20-CR-00249 RS
	)	
ROWLAND MARCUS ANDRADE,	)	
	)	
Defendant.	)	
_____	)	

San Francisco, California  
Monday, March 3, 2025

**TRANSCRIPT OF JURY TRIAL PROCEEDINGS**

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## PROCEEDINGS

Monday - March 3, 2025

10:00 a.m.

P R O C E E D I N G S

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(Proceedings were heard out of the presence of the jury.)

(Defendant not present.)

**THE COURTROOM DEPUTY:** Please come to order.

**THE COURT:** Good morning.

**MR. HIGHSMITH:** Good morning.

**THE COURT:** So I had a few odds and ends that I wanted to talk to you about.

But, first of all, why don't you -- what's the status with respect to the defendant?

**MS. DENT:** He is out of the hospital. He was released from the hospital last evening. He's back in the hotel and he's resting. So...

**THE COURT:** Our expectation is we can proceed tomorrow; correct?

**MS. DENT:** We hope that that's what we can do.

And he's going to wear a mask. My understanding, from what the doctor said yesterday, was that once the fever broke, he would still be contagious for 24 to 48 hours. So I think everyone may want to mask up if they're going to be anywhere near him. I know I probably will, since I sit next to him at the counsel table but --

**THE COURT:** That's fine.

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1 I wasn't going to force the issue about him watching  
2 virtually, but, of course, if this goes on for a while, we have  
3 to revisit that because --

4 **MS. DENT:** Understood.

5 **THE COURT:** -- we can't lose time like this.

6 Okay. That takes care of that issue.

7 I did look through materials regarding the Min testimony,  
8 and I wanted to give you some guidance on that.

9 I do have some concerns about the authentication issues  
10 with respect to the source code, but that was litigated before.  
11 My view is that's something the Government can test with Min on  
12 cross; so I'm not going to exclude it.

13 I do -- and I think that Mr. Min -- is it mister? doctor?  
14 What is it?

15 **MS. DENT:** Mister.

16 **THE COURT:** Mister.

17 Mr. Min can testify about, in the 2017-2018 period,  
18 whether or not it was advancing towards functionality; but what  
19 he can't testify to, he cannot render an opinion that in 2020  
20 it would have been functional.

21 The focus here is, even from the proffers that the defense  
22 has made, what Mr. Andrade knew or his understandings in the  
23 period of time in which the alleged misrepresentations were  
24 made. Whether or not years later it would have worked or not  
25 worked is not relevant. So that is not a permissible area for

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1 his testimony.

2 That's it with Mr. Min. I'm going to move on to something  
3 else unless anybody has --

4 **MR. SHEPARD:** May I just briefly address the years  
5 later point?

6 I mean, I understand where the Court is coming from on  
7 that, but I believe the Government has opened the door to that  
8 by continually asking witnesses: Did it ever work? Did it  
9 ever work? Did it ever work? Did it ever work?

10 **THE COURT:** Who wants to respond to that on  
11 the Government's side?

12 **MR. CHOU:** Well, Your Honor, the gravamen of the  
13 charge is for the conspiracy period July 2017 through  
14 October 2018. By asking our victim witnesses whether it ever  
15 worked, I don't think we were specifically trying to draw  
16 attention to 2020 or 2019. It was more of a general question  
17 about whether they ever saw anything work with respect to their  
18 investment in the product.

19 **THE COURT:** You might have confined it more to the  
20 time period, but I don't think whether or not it would ever  
21 work later on is -- whether or not you suggested -- you didn't  
22 close out the time period. I don't think it's appropriate to  
23 go into that. I also think it's pretty speculative as to  
24 whether or not it would ever work. But it's certainly not an  
25 area of expert opinion testimony about whether or not the thing

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1 would have worked or not. So that's my ruling on that.

2 The next issue I want to talk about is the jury  
3 instructions. I am going to send you this afternoon a draft  
4 set. It's not what either side asked for in total. So look  
5 through it because I have not given some instructions people  
6 wanted; I have added things. So neither side got a hundred  
7 percent.

8 What I would like to do is to use that as the jumping-off  
9 point. However you want to memorialize your objections, I  
10 leave it to you to do. You've each submitted your proposed  
11 set. So in some ways, I think you've preserved your position  
12 to the extent that the final instructions don't match up with  
13 what you proposed; but if you, nonetheless, want to make an  
14 objection, that's fine with me. You can do it any way you want  
15 to do it.

16 There are a couple of instructions that are -- that need  
17 information, and those are impeachment instructions in  
18 particular. So there will be brackets, and I do want the  
19 parties to give me the information or at least tell me what  
20 each side wants with respect to that. But most of it is pretty  
21 clear-cut.

22 The set that you will get will have headings on it to make  
23 it easy for us to talk about it, but in the set that the jury  
24 ultimately gets, I just put a number on the top. There's no  
25 heading. It just is 1, 2, 3, 4, 5.

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1 I don't think this set of instructions has the issue of  
2 referring back, which sometimes can be a problem when we then  
3 shuffle it around and then the numbers get all out of kilter.  
4 But I don't think -- thinking about it, I don't think we have  
5 any that say "Refer to Instruction 1" or "As set forth in  
6 Instruction 5" or something like that, which, in my experience,  
7 can go off the rails pretty quickly if we lose track of it. I  
8 don't think we have that problem.

9 The Government provided me with a proposed verdict form.  
10 I haven't got anything from the defense. Does -- I mean, it's  
11 Count One, Count Two. My personal preference -- and I've given  
12 up on this. The instructions and the verdict form talk about  
13 the particular statutes. I guess people think that's useful.  
14 I don't think the jury cares. Title 18, United States Code  
15 Section, I don't think it -- I think it's pretty meaningless to  
16 the jury, but I've left it in there because people seem to like  
17 it.

18 Have you, Mr. Shepard, looked at the verdict form?

19 **MR. SHEPARD:** We'll look back at them, Your Honor.

20 **THE COURT:** All right. So tomorrow be prepared --

21 **MR. SHEPARD:** Yes.

22 **THE COURT:** -- to tell me if you have a problem with  
23 it.

24 Okay. So the defense has been busy, and I've gotten a  
25 motion last night and I got a motion this morning. What I



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1 propose to do is to give you just a written order.

2 I guess my first question, I want to -- most of these are  
3 rehashes of what we've all discussed ad nauseam here. I think  
4 the one this morning may be something new. I'm trying to  
5 remember what --

6 **MR. SHEPARD:** It is -- it is new, although the Court  
7 did address -- it's a -- it's a different way to impeach  
8 Dillman.

9 **THE COURT:** Dillman, yes.

10 **MR. SHEPARD:** The Court did address a separate attempt  
11 to address Dillman, but this one is new.

12 **THE COURT:** All right. So the one that was filed last  
13 night, if the Government wants to respond to it, you need to do  
14 it quickly because I want to issue an order on it, frankly.

15 With the one this morning, because it's a bit of a new  
16 twist on an old song, if you want, certainly, you can respond;  
17 but because I don't want this to hold up our progress, I'm  
18 going to want something fast.

19 **MR. HIGHSMITH:** Got it. Yes.

20 **THE COURT:** So when would you -- well, number one, do  
21 you propose to file something with respect to either or both of  
22 these? And if so, when will I get it?

23 **MR. CHOU:** Your Honor, whatever deadline you set, we  
24 will meet. It'll just determine how thorough the response will  
25 be.

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1 I think the Government's initial response with respect to  
2 the emails purportedly received by the defendant would refer  
3 back to the motion we previously filed. And particularly,  
4 there were quite a few emails in there that are nested hearsay.

5 So like in the *United States v. Bishop* case where you had  
6 a witness who was claiming to talk about something that the  
7 defendant had heard, in a lot of emails that the defense tees  
8 up, there are statements that are quoted from David Mata, who  
9 then forwards it on to Special Agent Ablett. And so you have  
10 the same sort of issue there, where you have to assume the  
11 truth of David Mata's quoted statements to therefore make the  
12 conclusion that Mr. Andrade received those emails. So I just  
13 stress that point.

14 And then with respect to the Christine Lee testimony, the  
15 victim of Japheth Dillman, even though rule -- the rule that  
16 the defense cites allows impeachment of out-of-court  
17 declarants, it's only through otherwise admissible means. And  
18 even if Mr. Dillman took the stand, I don't think the defense  
19 could call in some outside witness to impeach him with  
20 extrinsic evidence about his other acts unrelated to this case.

21 Christine Lee was a circus troupe performer, as I  
22 understand it. And so in any event, I don't think that comes  
23 in either.

24 **THE COURT:** There's apparently some circuit split on  
25 this issue. There's the Second Circuit versus the Third and

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1 the D.C., something like that. I have to look back on it.

2 **MR. SHEPARD:** The law is definitely mixed on it.

3 **THE COURT:** All right.

4 **MR. SHEPARD:** But our view is, the rule has no meaning  
5 if you can't do this. There's -- 806 allows you to impeach the  
6 witness as if the witness was here if you can't put on  
7 extrinsic -- it's not like I can ask Dillman a question. So  
8 the only way the rule has any meaning is if we can put on the  
9 evidence. That's -- that's our position.

10 And, yes, I think the law is mixed on the question.

11 **THE COURT:** Okay. I'll look at it.

12 But going back to the issue of what, if anything,  
13 the Government wants to file.

14 **MR. CHOU:** We can do it today, Your Honor. And what  
15 time would the Court like?

16 **THE COURT:** Well, I'd like it by, like,  
17 about 2 o'clock or something so I can --

18 **MR. CHOU:** Yes, Your Honor.

19 **MR. SHEPARD:** And if I may just address the other  
20 thing Mr. Chou said about nested and targeted and -- I mean, we  
21 have identified, in the motion we filed -- I don't remember  
22 whether it actually fell into last night or early this morning,  
23 but that one -- we have identified some very specific language  
24 in the weekly management updates, and if that's all the Court  
25 would want us to admit, we would just admit the very specific

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1 language. It's not nested. It's not anything. It's just a  
2 report on the status of the technology that Mr. Andrade  
3 received.

4 **MR. CHOU:** Just an initial response, Your Honor, is,  
5 one, I'm not sure that's at all authenticated. It's from  
6 emails that have a defense Bates stamp or no Bates stamp.

7 And, secondly, I think as the Court correctly identified  
8 when it came up in the moment, it's, at a minimum, 403,  
9 confusing and prejudicial because it includes all these  
10 different entries from various declarants purporting to talk  
11 about all these different technical issues; and at most,  
12 I think they got in the fact that Mr. Andrade received  
13 management updates.

14 **THE COURT:** I mean, at a certain point, it also has a  
15 cumulative issue because I do think there's already in the --  
16 evidence in the trial that Mr. Andrade had been told in some  
17 respects that the technology was advancing. I don't remember  
18 exactly which evidence it is, but I think it's in there.

19 But be that as it may, okay. I'll take a look at what you  
20 give me, and I'll try to get something as soon as I can.

21 So that brings us to tomorrow. The list that I -- you had  
22 given me for today was Eric Min, Eric Olsen, Raul Torres, and  
23 Dr. Armstrong was going to be Tuesday. So has this changed --  
24 Mr. Andrade's situation changed our batting order?

25 **MR. SHEPARD:** Not materially. We're still considering

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1 whether we're going to call Eric Olsen, but I expect tomorrow  
2 would be Torres, who will be very short, followed by Min. And  
3 if we get through Min, then Armstrong.

4 **THE COURT:** Armstrong -- at some point you had told me  
5 Armstrong had some scheduling issues and needed to be Tuesday.

6 **MR. SHEPARD:** Yes. That meant he couldn't be here  
7 today.

8 **THE COURT:** Yes.

9 **MR. SHEPARD:** He is available Tuesday and also  
10 Wednesday.

11 **THE COURT:** All right. Today was the problem?

12 **MR. SHEPARD:** Yes, today was the problem.

13 **THE COURT:** Okay. All right.

14 **MR. SHEPARD:** So we're good to go with those.

15 If we can call Christine Lee, she would also be very  
16 short. That's the Dillman impeachment witness.

17 **THE COURT:** All right. Yes.

18 **MR. SHEPARD:** She would be very short. We would want  
19 to do her as soon as we could.

20 And then the only remaining thing is, we've asked  
21 the Government to stipulate to the authenticity of certain  
22 Government-seized exhibits and also to stipulate to the  
23 completion of impeachment of witnesses who either denied or did  
24 not recall statements they made to the FBI.

25 If the Government agrees, great. If the Government does

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1 not agree, then we may need to call a couple of FBI agents.

2 And, obviously, I can't speak to whether Mr. Andrade will  
3 testify because that's his decision --

4 **THE COURT:** When will you be able --

5 **MR. SHEPARD:** -- ultimately.

6 **THE COURT:** -- to speak to that, do you think?

7 **MR. SHEPARD:** Well, I would love to be able to speak  
8 to it right now, and you can probably imagine what I am  
9 recommending to him. But ultimately, as everyone knows, that's  
10 his choice, and I can't --

11 **THE COURT:** Right.

12 **MR. SHEPARD:** -- make it for him.

13 **THE COURT:** Well, you can tell him -- I'm in complete  
14 agreement with everything you've just said. At a certain  
15 point, he has to call the question.

16 **MR. SHEPARD:** Agreed.

17 **THE COURT:** And I'll give him leeway. We're now into  
18 your case, and -- but I think you can communicate to him for me  
19 that when we do have our break Wednesday -- then Thursday,  
20 Friday we're not in session -- I would hope by Wednesday he  
21 will be prepared to tell me.

22 **MR. SHEPARD:** Yes.

23 **THE COURT:** Okay.

24 **MR. SHEPARD:** I will communicate that to him.

25 Thank you.

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1           **THE COURT:** All right.

2           So anything else while we're together?

3           **MR. HIGHSMITH:** I think that's it, Your Honor.

4           **THE COURT:** Okay.

5           **MR. STEFAN:** Your Honor, if I could just get as much  
6           clarity as possible on the scope of the Court's restriction on  
7           Min's testimony.

8           So he can speak to development of the technology in 2017  
9           and 2018 but can't render an opinion that in 2020 it would have  
10          been functional?

11          **THE COURT:** Right.

12          **MR. STEFAN:** What about developments of the technology  
13          past 2018? So developments that were occurring in 2019, say?

14          **THE COURT:** Well, I don't think there's much relevance  
15          to that. I mean, your -- meaning the defense -- presentation  
16          has been that Mr. Andrade -- the important point you want to  
17          make is that at the time of the alleged misrepresentations, he  
18          was under the impression that it was a real deal, that there  
19          was real technology there, and that it had the promise perhaps  
20          of working.

21          After that, it's really not relevant if it -- whatever  
22          happens to the technology because it doesn't go to his good  
23          faith or lack thereof when he's making these representations.

24          So whether or not the thing could have worked in 2022 or  
25          2025 doesn't matter.

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1           So 2019, if it's after the alleged representations, I  
2       don't think it has much relevance, if any.

3           **MR. CHOU:** And to confirm, just for the record, the  
4       investors at issue that the Government put up as witnesses all  
5       invested in 2018 or sooner.

6           **THE COURT:** Right. So use those dates as your cutoff.

7           **MR. STEFAN:** The one --

8           **MR. SHEPARD:** Go ahead.

9           **MR. STEFAN:** The one clarification I'd ask for is that  
10      part of Mr. Min's testimony is essentially, given the  
11      restrictions of the world in which he's operating, he has a  
12      dataset and the dataset is from a repository with date stamps  
13      that start in 2018, like November of 2018, later 2018.

14           But the volume of the material is such that he will opine  
15      that there is -- there's no way that all of this material which  
16      was entered into their repositories was created all at the  
17      initiation date in November of 2018 but that this was the  
18      product of development that had occurred prior to that point.  
19      And he would back that up with date stamps that appear within  
20      the databases in that repository, if that makes sense.

21           **THE COURT:** That's part of the problem of why you're  
22      on shaky ground of this coming in at all, because the  
23      authentication issues are pretty squirrely here.

24           I'm willing to let you use Min to go down this path, but  
25      you can't now bootstrap the very fact that there's some



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1 problems with our necessarily saying you've shown enough to  
2 show that was the source code that was at issue during the  
3 operative time and say: Well, now we can go way into the  
4 future because that goes -- relates back to the past. That's a  
5 problem for you rather than the opportunity to go later on.

6 So, no. I mean, all he can testify to, as far as I'm  
7 concerned, is to say that as of the date, it's his opinion that  
8 there was some real "there" there in terms of technology, not  
9 that it ever worked or ever could work. It's a snapshot in  
10 time, and his basis for that is this repository that he thinks  
11 is indicative of what the source code was at the time.

12 And the Government can say, "Well, you don't really have a  
13 basis for thinking that was the source code at the time." They  
14 can do that.

15 Now, the problem is maybe in answering that question, if  
16 the Government goes down that path, he will say, "Well, I have  
17 to refer to something from 2019 and 2020 and 2021."

18 I don't know how you don't open the door on that, but  
19 that's up to you.

20 **MR. SHEPARD:** But to make sure we're following, what  
21 I'm understanding is the Court is saying his testimony about  
22 the state of the technology should be confined to some period,  
23 and I would like to talk a little bit --

24 **THE COURT:** I agree.

25 **MR. SHEPARD:** -- about what that period is.

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1           **THE COURT:** I mean, I understand what you're saying.

2           As I understand his testimony, he is going to say that in  
3 trying to glean what the technology was in 2018, he is looking  
4 at material from a later period because he thinks that tells  
5 him what --

6           **MR. SHEPARD:** Yes.

7           **THE COURT:** -- the state of the world was in 2018.

8           I understand that, and I don't have a problem with that,  
9 although I think the Government can also go after that and say,  
10 "Well, you don't have any basis for thinking that's the case."

11          What I don't think you can do is to have him opine that  
12 after the period that the misrepresentations have come and  
13 gone, alleged misrepresentations, that after that point, he is  
14 of the opinion that this technology, by 2020, by 2021, whenever  
15 it is, would have worked. He can't opine about that.

16          **MR. SHEPARD:** I --

17          **THE COURT:** Does that make sense?

18          **MR. SHEPARD:** Yes, that makes sense.

19          The important thing for us is the fact that he's got to  
20 work a little backwards to get to the --

21          **THE COURT:** I understand.

22          **MR. SHEPARD:** -- the period that the Court has said we  
23 should focus on.

24          In terms of that period, though, I do recall -- and if  
25 it's important, we can dig this out -- there was testimony

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1 from, I think, Evan Carlsen that went into 2019 in terms of his  
2 work on the technology and things like that.

3 So I think -- I understand the Court's ruling about 2020.  
4 I do think that, in light of what the Government has proved,  
5 though, that 2018 is too soon of a cutoff.

6 **THE COURT:** Well, I'm focusing on the timing of the  
7 alleged representations because that is the critical time.

8 Your position is Mr. Andrade's good faith. His good faith  
9 rises or falls at that time. It doesn't matter if in 2019  
10 he's -- it doesn't matter what he's thinking in 2019, quite  
11 frankly, because the representations that the Government is  
12 making have come and gone.

13 And you're going to make the point that, I assume in many  
14 different ways, that he can only be convicted of whether or not  
15 those were misrepresentations at the time they were made; that  
16 what happens afterwards, if he does things that the jury  
17 doesn't like, they can't convict him for that, because that's  
18 going to be one of your points. So for good or for bad, we're  
19 focused on that.

20 So what happens -- I mean, I don't know about -- I don't  
21 remember that testimony offhand. But I'm not disputing that  
22 work is going on in 2019 for this code, but I don't think it's  
23 relevant.

24 **MR. SHEPARD:** I think the door was opened to it, but  
25 I think I understand where the Court's coming from.

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1 If I could just --

2 **THE COURT:** Yeah.

3 **MR. SHEPARD:** -- confer for a moment.

4 **THE COURT:** Does that make sense to you, Mr. Chou?

5 **MR. CHOU:** Yes, Your Honor.

6 And just to respond for the record on Evan Carlsen's  
7 testimony, his testimony was that in November of 2018, which is  
8 a month after the charged indictment period, that he was  
9 starting from scratch. So that's a different sort of line of  
10 testimony than saying that around the times the misreps were  
11 being made, that there was technology in place. Actually,  
12 quite to the contrary. And he's not an investor, Your Honor.

13 If we were moving off of Eric Min, I wanted to just touch  
14 on a couple brief things regarding the jury instructions, more  
15 just logistical questions.

16 **THE COURT:** Okay.

17 **MR. CHOU:** So first, I'm not sure if the Court was  
18 already contemplating this, but could the parties receive a  
19 Word document version of the jury instructions to work off of?

20 **THE COURT:** Yes.

21 **MR. CHOU:** And then, secondly, the Court, I believe on  
22 Friday, had flagged the idea of potentially a supplemental  
23 instruction on this idea of *United States v. Lindsay* and being  
24 able to walk the fine line between introducing evidence --

25 **THE COURT:** Well, I think you will find -- look at the

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1 instructions I'm going to send you first.

2 My inclination now, as you will see, over the Government's  
3 objection, is to include a good faith element in one of the  
4 instructions. But in the good faith element, there's language  
5 that also says it's not a defense that maybe someday the  
6 victims would get their money back or whatever. I think I've  
7 folded those two things into one concept. So take a look.

8 Now, I don't think a standalone -- now that I've gone over  
9 the instructions again over the weekend, I don't think a  
10 standalone is needed, but that doesn't preclude you from asking  
11 me for it if you think it doesn't do it.

12 **MR. CHOU:** Understood, Your Honor.

13 Thank you.

14 **MR. SHEPARD:** One last thought that I just got  
15 triggered, and that is, I appreciate the Court's point about  
16 the effect on investors and the time period of intent that  
17 matters as it relates to representations.

18 I do think, in a larger sense, though, one's good faith  
19 can be judged by things that they continue to do. And the fact  
20 that there's continued work on the technology, even after all  
21 the investor money has come in -- you know, it's not like he's  
22 defrauding more investors; he's continuing to work on the  
23 technology, still trying to make it work, which I think is a  
24 reflection of his --

25 **THE COURT:** Well, I think there's some --

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1           **MR. SHEPARD:** -- his good faith.

2           **THE COURT:** -- evidence of that now.

3           Remember, what we're talking about is Min's opinion; and  
4           what I'm saying is off base is the ultimate decision -- the  
5           ultimate opinion by him that "Hey, this would have worked."  
6           That's what I don't think there's any basis for.

7           I think we already have some evidence that beyond the  
8           period where the misrepresentations are made, that stuff is  
9           going on, but that's already in the record.

10          Besides which, Min is not the witness who's going to be  
11          talking about the timeline. I mean --

12          **MR. SHEPARD:** Well, he could be talking about  
13          continued work in 2019.

14          **THE COURT:** Well, yeah. I -- well, that's --

15          **MR. SHEPARD:** And that's a basis for.

16          **THE COURT:** The proposition, not if the thing would  
17          ever have worked, but the fact of continued work, what's  
18          the Government's view on that?

19          **MR. HIGHSMITH:** I don't see how -- we have that  
20          testimony. We've got the testimony that there was continued  
21          work into 2019. We think it's -- the reason that's in is  
22          because during the relevant period, there was no tech. So to  
23          show that they were still working in 2019 shows, okay, well,  
24          during 2018 and 2017, there was no technology; that's why they  
25          had to keep working on it.

## PROCEEDINGS

1 Min is dangerous because of the reliability of his  
2 opinions. What he says about what is happening in 2019, what  
3 he's opining, it's not relevant to the key period, 2018-2017.

4 **THE COURT:** Well, I also think -- I do think there's  
5 some evidence in there of going into 2019. You just alluded to  
6 Mr. Carlsen, for example.

7 Min is not a fact witness. So I don't know why he -- he's  
8 not presenting any facts. He's saying what he relies on. And  
9 I understand from our discussion that there'll be some  
10 post-misrepresen- -- alleged misrepresentation period that will  
11 go to this question of why he thinks this is indicative of what  
12 the software was in the operative period. But beyond that, I  
13 don't think he should be talking about later years or later  
14 periods.

15 His opinions about that are only relevant on the issue of  
16 why he thinks this was the operative software back in  
17 2017-2018, not that work is continuing in 2019. I don't think  
18 he's the witness to talk about that, frankly.

19 **MR. SHEPARD:** Well, he does have a basis as an expert  
20 for that, based on the review of the code that shows work being  
21 done in 2019. So --

22 **THE COURT:** Well, you already have testimony that work  
23 was continuing in 2019. I don't know -- what is his opinion  
24 going to be? That there was work in 2019?

25 **MR. SHEPARD:** Yes.

## PROCEEDINGS

1           **THE COURT:** That's kind of just restating the facts  
2 you already have in there.

3           I mean, and then the only opinion he could have is, well,  
4 it's the quality of the ongoing work, and I'm not going to let  
5 you talk about that. So --

6           **MR. SHEPARD:** Okay. Understood, Your Honor.

7           **THE COURT:** Okay.

8           All right. The longer we stay here, the more issues you  
9 guys come up with.

10                               (Laughter.)

11           **MR. HIGHSMITH:** We have a 2 o'clock deadline, so we  
12 need to get back.

13           **THE COURT:** I think we should call it a day.  
14 So, all right. Okay.

15           **MR. HIGHSMITH:** Thank you, Your Honor.

16           **MR. CHOU:** Thank you.

17                               (Proceedings adjourned at 10:30 a.m.)

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CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript  
from the record of proceedings in the above-entitled matter.

DATE: Tuesday, March 4, 2025

Ana Dub

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Ana Dub, RDR, RMR, CRR, CCRR, CRG, CCG

CSR No. 7445, Official United States Reporter